

1 THE HONORABLE JOHN C. COUGHENOUR  
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7 UNITED STATES DISTRICT COURT  
8 WESTERN DISTRICT OF WASHINGTON  
9 AT SEATTLE

10 ABOLFAZL HOSSEINZADEH,

11 Plaintiff,

12 v.

13 BELLEVUE PARK HOMEOWNERS  
14 ASSOCIATION, *et al.*,

15 Defendants.

CASE NO. C18-1385-JCC

ORDER

16 This matter comes before the Court on Plaintiff's counsel's unopposed motion to stay  
17 enforcement of the judgment pending appeal (Dkt. No. 225).

18 The Court's previous orders set forth the relevant background for this motion in detail, so  
19 the Court addresses only the essential facts here. (*See* Dkt. Nos. 167, 218.) The Court ordered  
20 Plaintiff's counsel to pay Defendant Bellevue Park Homeowners Association \$6,165 to  
21 reimburse the Association for the attorney fees it incurred in filing a meritorious motion for a  
22 protective order. (*See id.*) Plaintiff's counsel has since appealed the fee award (Dkt. No. 223) and  
23 now moves to stay enforcement of the judgment pending the outcome of the appeal (Dkt. No.  
24 225). Plaintiff's counsel proposes to deposit \$6,165 into the Court's registry as security. (*Id.*) The  
25 Association does not oppose. (Dkt. No. 226.)

26 “[A] party taking an appeal from the District Court is entitled to a stay of a money

1 judgment as a matter of right if he posts a bond in accordance with Fed. R. Civ. P. 62[b].”<sup>1</sup> *Am.*  
2 *Mfrs. Mut. Ins. Co. v. Am. Broadcasting-Paramount Theatres, Inc.*, 87 S. Ct. 1, 3 (1966). Rule  
3 62(b) authorizes a party to post “a bond or other security.” A “monetary deposit equal to the  
4 amount of the bond” is a sufficient security. W.D. Wash. Local Civ. R. 65.1(a)(1). Therefore, the  
5 Court GRANTS Plaintiff’s counsel’s motion and ORDERS:

- 6 1. Proceedings to enforce the Court’s judgment are STAYED.
- 7 2. Plaintiff’s counsel shall deposit six thousand one hundred sixty-five dollars  
8 (\$6,165) into the Court’s registry as security.

9 DATED this 16th day of February 2021.



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11 John C. Coughenour  
12 UNITED STATES DISTRICT JUDGE  
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25 <sup>1</sup> The Court cited to Federal Rule of Civil Procedure 62(d), but the substance of that Rule was  
26 moved to Rule 62(b) in 2018. See Fed. R. Civ. P. 62 advisory committee’s note to 2018  
amendment.